

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office DEC 01 1995

Returned to applicant for correction.....

Corrected application filed.....Map filed DEC 01 1995 der 54617

The applicant Independence Mining Company, Inc.

HC 31, Box 78

of Elko

Street and No. or P.O. Box No.

City or Town

Nevada 89801

State and Zip Code No.

.....hereby make^s application for permission to change the
place of use and manner of use of a portion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under permit #54617

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

1. The source of water is underground (Well#4)
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 0.0155 c.f.s. (7.0 g.p.m.)
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for stockwatering (500 cattle)
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for mining, milling & domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point same as existing
Describe as being within a 40-acre subdivision of public survey and by course and
distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing permitted point of diversion is located within NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 34, T.41N., R.54E., MDM.,
If point of diversion is not changed, do not answer.
from which the SW corner of said section bears S.39°30'00"W., 2,036.00 ft. dist.

7. Proposed place of use All of Sec. 20 and NE $\frac{1}{4}$ Section 29., T.41N., R.54E., M.D.M.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use Lot 17 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) Section 4, T.40N., R.54N., M.D.B., S $\frac{1}{2}$, NW $\frac{1}{4}$,
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 33, T.41 N., R.54E., and approximately 6 miles of haul road
manner of use of irrigation permit, describe acreage to be removed from irrigation.
through portion of Secs. 25, 26 and 35, T.41N., R.53E., and Secs. 29, 30, 32 and 33,
T.41N., R.54E.

9. Use will be from May 1 to August 31 of each year.
Month and Day Month and Day

10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) drilled & cased well (existing), with
State manner in which water is to be diverted, i.e. diversion structure.
gravel packing, submersible pump and motor, storage tanks or reservoir, and
ditches, pipes and flumes, or drilled well, etc. pipeline distribution network.

12. Estimated cost of works estimate \$20,000.00 (new pipeline and tanks, only)

13. Estimated time required to construct works one year

14. Estimated time required to complete the application of water to beneficial use. two years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

.....

By s/ William A. Nisbet
 421 Court Street
 Elko, Nevada 89801

Compared ds/cmg cl/bk

Protested.....

APPROVAL
OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 54617 is issued subject to the terms and conditions imposed in said Permit 54617 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 39881, 42687, 47148, 47413, 47414, 48175, 54617, 58426-E, 58427-E, 58428-E, 58429-E, 58430-E, 58431-E, 58432-E, 58433-E, 58744-E, 59274, 61722, 61740-E, 61780-E, 61781-E, 61946 and 62374 shall not exceed 5,834.9 acre-feet annually.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0155 cubic feet per second, or sufficient to water 500 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before September 18, 1997

Proof of completion of work shall be filed before October 18, 1997

Application of water to beneficial use shall be made on or before September 18, 1998

Proof of the application of water to beneficial use shall be filed on or before October 18, 1998

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed NOV 21 1997

Proof of beneficial use filed NOV 16 1998

Cultural map filed.....

Certificate No. 15094 Issued DEC 21 1998

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 18th day of March,

A.D. 19 97

[Signature]
 State Engineer